

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6212 of 2021

Arising Out of PS. Case No.-307 Year-2020 Thana- TURKAULIYA District- East
Champaran

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DHARMENDRA MAHTO ALIAS GAJENDRA MAHTO SON OF
KAILASH MAHATO RESIDENT OF VILLAGE- SAPAHI SAGARA,
POLICE STATION- RAGHUNATHPUR (O.P), DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-04-2021 Heard Mr. Rajesh Ranjan, learned counsel for the

petitioner and Mr. Ajay Kumar Jha, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with

Turkauliya (Raghunathpur) P.S. Case No. 307 of 2020 registered

for the offence punishable under Sections 304(B) and 34 of the

Indian Penal Code 1860.

The allegation as per the First Information Report is

that the petitioner along with other co-accused persons killed the

sister of the informant by pressing her neck due to non-

fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case along with other family members inasmuch as petitioner is the elder brother-in-law of the deceased. Learned counsel further submits that the deceased was married to younger brother of the petitioner in the year 2019 and entire family members have been implicated in this case whereas from perusal of the postmortem report at Annexure-2, it would be evident that the cause of death has not been ascertained. Learned counsel also submits that the viscera has been preserved. Learned counsel next submits that the petitioner is separate in mess and residence from the co-accused i.e. husband of the deceased for last couple of years and he is having no concern with the family members of his brother and deceased. Learned counsel next submits that the petitioner is in custody since 6.7.2020 and charge sheet has already been submitted in the matter.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner is elder brother-in-law of the deceased and is separate in mess and residence and the allegation against the petitioner is general and omnibus in nature along with other family members and the husband of the deceased is in



custody, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Turkauliya (Raghunathpur) P.S. Case No. 307 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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